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15 *Attorneys for Kenneth Himmller, Plaintiff*

16 **UNITED STATES FEDERAL DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 KENNETH HIMMLER,

19 Plaintiff

20 vs.

21 LIVINGSTON GROUP ASSET
22 MANAGEMENT, INC. DBA SOUTHPOR
23 CAPITAL, INC., a Delaware corporation;
HORIZON PRIVATE EQUITY, LLC, a
Georgia limited liability company; JAMES
WALLACE WOODS, an individual; JOHN J.
WOODS, an individual; MICHAEL
MOONEY, and individual; and DOES 1
THROUGH 10,

24 Defendants.

25 Case No. 2:15-cv-00497-MMD-CWH

26 **JOINT REQUEST FOR EXTENSION OF
27 TIME FOR PARTIES TO CONDUCT
28 FRCP 26(f) DISCOVERY CONFERENCE,
AND TO FILE PROPOSED DISCOVERY
PLAN/SCHEDULING ORDER**

29 **(FIRST REQUEST)**

30 Plaintiff Kenneth Himmller, by and through his attorneys of record, Wolf, Rifkin, Shapiro,
31 Schulman, and Rabkin, LLP; and, Defendants, by and through their counsel of record, Marquis
32 Aurbach Coffing, hereby request an extension of time, pursuant to NV R USDCT LR 6-1 for the
33 parties to meet and confer in order to conduct the mandatory FRCP 26(f) discovery conference,
34 and subsequently jointly prepare and file the parties' proposed discovery plan/scheduling order,

1 such that this honorable Court may issue a Scheduling Order under FRCP 16(b)(1). The discovery
2 plan/scheduling order is currently due on July 6, 2015. The parties respectfully request an
3 amended deadline of August 6, 2015 for the parties to file the discovery plan/scheduling order.

4 Currently, Defendants' Motion to Dismiss is pending before this Court. (See Docket No.
5 14.) The Motion has been fully briefed. (See Docket No. 18.)

6 DATED this 6th day of July, 2015.

7 **WOLF, RIFKIN, SHAPIRO,
8 SCHULMAN & RABKIN, LLP**

9 By: /s/ Jordan J. Butler, Esq.
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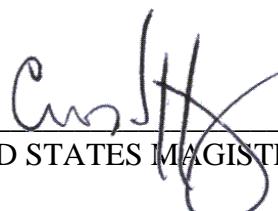
25 DATED this 6th day of July, 2015.

26 **MARQUIS AURBACH COFFING**

27 By: /s/ James Ruggeroli, Esq.
28 Marquis Aurbach Coffing
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ORDER

2 IT IS SO ORDERED.

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4 
UNITED STATES MAGISTRATE JUDGE

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6 DATED: July 7, 2015

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CERTIFICATE OF SERVICE

2 I hereby certify that on this 6th day of July, 2015, a true and correct copy of **JOINT**
3 **DISCOVERY PLAN AND SCHEDULING ORDER** was served via the United States District
4 Court CM/ECF system on all Parties or persons requiring notice.

/s/ Michael J. Hannon

Michael J. Hannon, An employee of WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP